

D. REMARKS

This Reply is in response to the Office Action mailed on June 16, 2004 in which claims 1-18 were rejected. With this Reply, claims 1 and 10-18 are amended. Claims 1-18 are presented by the Applicants for reconsideration and allowance.

1. CLAIM OBJECTIONS

Section 1 of the Office Action points out that claims 10 and 11 were not included in the original application. As such, claims 12-20 were renumbered 10-18, respectively, wherein newly renumbered claims 10-12 and 14-18 are considered to depend from claim 9, and newly renumbered claim 13 is considered to depend from newly renumbered claim 12.

Applicants acknowledge the inadvertent omission and appreciate the Examiner's efforts to resolve the claim numbering discrepancy. The originally filed claims 12-20 were intended to be numbered as 10-18. Applicants believe the renumbered claims specified in Section 1 of the Office Action properly address this discrepancy. With this Reply, claims 10-18 are amended in a manner consistent with the claim objections of Section 1 of the Office Action.

With this Reply, claim 1, line 11 is also amended to add the words "and second." These two words were inadvertently left out of claim 1, as originally filed.

2. REJECTION OF CLAIMS 1-18 UNDER THE JUDICIALLY CREATED DOCTRINE OF OBVIOUSNESS-TYPE DOUBLE PATENTING

Section 3 of the Office Action rejected claims 1-18 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. 6,663,516. With this Reply, Applicants submit a terminal disclaimer to obviate this double patenting rejection over claims 1-28 of U.S. Patent No. 6,663,516. In particular,

Applicants submit an executed USPTO Form PTO/SB/26 entitled "Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent."

3. *CONCLUSION*

Applicants respectfully request reconsideration of claims 1-18. Applicants believe that the present application is now in condition for allowance. The Examiner is invited to telephone the undersigned to discuss any issues in this case in order to advance the prosecution thereof.

Respectfully submitted,

Date 15 September 2004
Wilson Sporting Goods Co.
8700 W. Bryn Mawr Avenue
Chicago, IL 60631

Telephone: (773) 714-6498
Facsimile: (773) 714-4557

By



Terence P. O'Brien
Attorney for Applicants
Registration No. 43,840